



Dkt. 37690-II-1-PCT-US/JPW/SHS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gary Beaudry and Paul J. Maddon

Serial No. : 08/485,163 Examiner: K. Brown

Filed : June 7, 1995 Group Art Unit: 1812

For : CD4 GAMMA2 AND CD4-IgG2 CHIMERAS

1185 Avenue of the Americas
New York, New York 10036
June 8, 1999

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

COMMUNICATION

IN RESPONSE TO AUGUST 7, 1997

**FINAL OFFICE ACTION AS A FIRST SUBMISSION PURSUANT
TO THE SEPTEMBER 9, 1998 COMMUNICATION REQUESTING CONSIDERATION
ON THE MERITS OF A FIRST SUBMISSION AFTER FINAL REJECTION AND
WITHDRAWAL OF FINALITY UNDER 37 C.F.R. 1.129(A) AND PETITION.**

This Communication is submitted in response to an August 7, 1997 Final Office Action as a first submission pursuant to the September 9, 1998 Communication Requesting Consideration on The Merits of a First Submission After Final Rejection And Withdrawal of Finality under 37 C.F.R. 1.129(a) and Petition.

REMARKS

Claims 30-35 and 44-46 are pending and under examination in the subject application.

Claim Rejections - 35 U.S.C. §103

The Examiner rejected claims 30-35 and 44-46 under 35 U.S.C. 103(a) as being unpatentable over Capon, et al. (U.S. Patent No. 5,565,335).